

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

INNOVATION VENTURES, LLC D/B/A
LIVING ESSENTIALS,
Plaintiff,

v.

ULTIMATE LIFESTYLES, LLC AND
CUSTOM NUTRITION LABORATORIES, LLC
Defendants.

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CIVIL ACTION NO. 4:08-CV-232

ORDER

Plaintiff has recently filed an Unopposed Motion for Partial Dismissal of Certain Trademark Claims (Dkt. 162). Plaintiff seeks to dismiss “only those portions of counts in the Second Amended Complaint against Custom Nutrition Laboratories, LLC (“CNL”) that assert common law trademark and statutory trademark claims for product manufactured by CNL for Body Dynamics, Inc. D/b/a BDI Marketing (“BDI”).” On or before **July 6, 2009**, Plaintiff shall amend its motion, and proposed order, so that the record unambiguously reflects which counts in Plaintiff’s live pleadings Plaintiff seeks to dismiss.

SO ORDERED.

SIGNED this 30th day of June, 2009.



DON D. BUSH
UNITED STATES MAGISTRATE JUDGE